

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EKO BRANDS, INC.,
Plaintiff,
v.
ADRIAN RIVERA MAYNEZ
ENTERPRISES, INC., and ADRIAN RIVERA,
Defendants.

Case No. C15-522RSL

ORDER DENYING DEFENDANTS' MOTION FOR RECONSIDERATION

This matter comes before the Court on defendants' "Motion for Reconsideration." Dkt. # 162. On November 14, 2017, the Court rejected defendants' contention that, because its products do not include the single serve beverage brewer described in the introductory paragraph to claim 8 of the '855 patent, they cannot infringe. Defendants argue that this finding constitutes manifest error and should be reconsidered under LCR 7(h)(1). While it is undoubtedly true that the description of the brewer with which plaintiff's invention is intended to be used adds clarity to the description of the invention, it does not define the invention. The fact that defendants' products do not include a single server beverage brewer does not prevent a finding that defendants infringed the '855 patent. The motion for reconsideration is DENIED.

Dated this 4th day of December, 2017.

Mrs Casnik

Robert S. Lasnik
United States District Judge

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